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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,599	06/12/2000	Dongyan Wang	SAM1.PAU.64	7070

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2179

MAIL DATE	DELIVERY MODE
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12/29/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/592,599	Applicant(s) WANG ET AL.	
	Examiner MYLINH TRAN	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-14,18-24 and 28-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-14,18-24 and 28-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>09/11/09</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's amendment filed 09/11/2009 has been entered and carefully considered. Claims 1, 10 and 20 have been amended. Claims 29-32 have been added. However, the limitations of the amended claims have not been found to be patentable over prior art of record. These claims 1-6, 8-14, 18-24 and 28-32 are rejected under the new ground of rejection as set forth below.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 6, 10-12, 20-22, 29 and 31-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Hayes et al. [US. 6,781,518].

As per independent claims 1, 10 and 20, Hayes et al. teach a computer implemented method and corresponding system for providing a user interface for controlling devices that are currently connected to a network comprising the steps/means:

for at least one of said devices: discovering a plurality of devices that are currently connected to the network (figure 1A); obtaining information for

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commanding and controlling at least one of the plurality of devices by at least one other device currently connected to physical layer of the network (column 2, lines 35-50), wherein the information and including at least a device name and service type (column 8, lines 12-25);

wherein the physical layer provides a communication medium that can be used by the plurality of devices to communicate with each other (figure 1A);

generating a graphical user interface based at least on the obtained information (column 12, lines 28-40), the user interface including one or more references associated with each of the devices currently connected to the network (column 11, lines 15-32); and displaying the generated user interface such that a user can use each reference of the displayed user interface to access each device (column 10, lines 25-37);

As per claims 2, 11 and 21, Hayes et al. teach a type of service that each device can provide and the user control interface is generated and displayed based on at least an attribute and capability of the service type (column 8, lines 12-25).

As per claims 3, 12 and 22, Hayes et al. teaches including device data corresponding to each device based on the information obtained from each device (column 8, lines 27-37).

As per claims 6, Hayes et al. teach the device information in each device including device identification information for that device (column 5, lines 20-35).

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As to claim 29, Hayes et al. teaches the network being a home network (figure 1A).

As to claim 31, Hayes et al. teaches the generated user interface including at least one icon graphic for a device (column 10, lines 25-60).

As to claim 32, Hayes et al. teach the generated user interface including a hierarchy of control pages (column 11, lines 1-25).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 4-5, 8-9, 13-14, 18-19, 23-24, 28, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes et al. [US. 6,781,518] in view of Kemink [US. 7,574,693].

As per claims 4, 13 and 23, Hayes et al. fail to clearly the step of generating the user interface further includes the steps of associating a hyper-text link with the device information in each of said devices currently connected to the network, such that each hyper-text link provides access from the user interface to the information in an associated device. However, Kemink et al. teach the associating a hyper-text link with the device information in each of said devices currently connected to the network (column 4, lines 50-65), such that each hyper-text link provides access from the user interface to the information in an associated device (column 4, lines 42-67). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Kemink of the hyper text link with the device information with the teaching of Hayes. Motivation of the combination would have been to dynamically update a change of the devices.

As per claims 5, 14 and 24, Hayes et al. fail to clearly teach an HTML page for user interaction with and/or control of that device. However, Kenmink et al. teach the feature at column 4, lines 52-65. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Kemink of the hyper text link with the device information with the

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teaching of Hayes. Motivation of the combination would have been to dynamically update a change of the devices.

As per claim 8, Hayes et al. teach fail to teach the steps of each reference in the user interface including at least one electronic link providing direct access from the user interface to at least the user control interface description.

However, Kemink teaches the feature at column 4, lines 42-65. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Kemink of the hyper text link with the device information with the teaching of Hayes. Motivation of the combination would have been to dynamically update a change of the devices.

As per claims 9, 18 and 28, Hayes fails to clearly teaches the user interface including device data corresponding to each device based on the information obtained from each device, and wherein when the one link in the user activated link is used to access the associated device and retrieve control interface description contained in the corresponding device to generate and display a device user interface based on the retrieved control interface description, for user interaction with that associated device. However, Kemink teaches the user interface including device data corresponding to each device based on the information obtained from each device (column 7, lines 1-20); and when the one link in the user activated link is used to access the associated device and retrieve control interface description contained in the corresponding device to generate and display a device user interface based on the retrieved control

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interface description, for user interaction with that associated device (column 6, lines 8-25). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Kemink of the hyper text link with the device information with the teaching of Hayes. Motivation of the combination would have been to dynamically update a change of the devices.

As to claim 19, Hayes fails to teach using each link in the user interface to access the information in each associated device, and generating the user interface including device data corresponding to each device using the accessed information in each device. However, Kemink teaches each link in the user interface to access the information in each associated device, and generating the user interface including device data corresponding to each device using the accessed information in each device (column 7, lines 1-25).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Kemink of the hyper text link with the device information with the teaching of Hayes. Motivation of the combination would have been to dynamically update a change of the devices.

As to claim 30, Hayes et al. fail to clearly teaches the graphical user interface employing browser technology to allow users to control and command devices over the home network. However, Kemink teaches the feature at column 6, lines 8-35. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teaching of Kemink of the hyper

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text link with the device information with the teaching of Hayes. Motivation of the combination would have been to dynamically update a change of the devices.

Response to Arguments

Applicant's arguments with respects to claims 1-6, 8-14, 18-24 and 28-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

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/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179